

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
Civil Action No. 4:08-CV-00209-BR

COPY

TATYANA T. IVANOVA-NIKOLOVA, )  
PH.D., )

Plaintiff, )

vs. )

EAST CAROLINA UNIVERSITY, )

Defendant. )  
----- )

DEPOSITION

OF

TATYANA T. IVANOVA-NIKOLOVA, PhD

At Raleigh, North Carolina  
August 9, 2010 - 10:05 a.m.

Reported by:  
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1 I, Candi R. Uselman, Registered Professional  
2 Reporter and Notary Public in and for the state of North  
3 Carolina, was appointed commissioner by consent to take  
4 the deposition of TATYANA T. IVANOVA-NIKOLOVA, PhD on  
5 August 9, 2010 at 10:05 a.m. at the offices of The North  
6 Carolina Department of Justice located at 114 West  
7 Edenton Street, Raleigh, North Carolina.

8  
9 Whereupon,

10 TATYANA T. IVANOVA-NIKOLOVA, PhD,  
11 having first been duly sworn, was examined and testified  
12 as follows:

13 DIRECT EXAMINATION

14 BY MR. BERMAN:

15 Q: Thank you for being here, and do you  
16 understand we're here today to take your deposition?

17 A: Uh-huh.

18 THE REPORTER: Yes?

19 A: Yes.

20 THE WITNESS: I'm sorry.

21 Q: I'm sorry, and you'll have to --

22 A: I need -- okay.

23 Q: -- answer the questions out loud too because  
24 our court reporter just has to have a verbal response.

25 A: Okay.

1 recommended for funding, and this information was  
2 provided also.

3 Q: Okay.

4 A: And there was a recommendation of the panel  
5 that it was the particular type of experiment to be  
6 completed, and this was provided to them. They couldn't  
7 fund it because the levels of the agency dropped  
8 considerably below their expectations.

9 Q: Okay. But you had not received any external  
10 funding?

11 A: I didn't receive it, yes, although the  
12 application was recommended for funding by the panel.

13 Q: Okay. But from 1999 through November 2006,  
14 you had not received any --

15 A: No.

16 Q: -- external funding?

17 A: No.

18 Q: Now, the tenure and promotion committee of  
19 your department made a recommendation, and they made a  
20 recommendation to the chairman; is that correct?

21 A: That's correct.

22 Q: They don't make any mention of your gender in  
23 their recommendation, correct?

24 A: No. This was very short memoranda that was  
25 three sentences each, I believe.

1           Q:     Okay. But you are contending that their  
2 decision or their recommendation was gender  
3 discrimination?

4           A:     Yes.

5           Q:     What evidence do you have that says that that  
6 recommendation was gender discrimination?

7           A:     There were many occasions that I felt that  
8 they just look at me and they see a shell and they are  
9 treating me in a different way than they treat the male  
10 colleagues. And all of this were provided in my response  
11 to your set of interrogatories.

12          Q:     Okay. Thank you, and we've gotten that, and I  
13 appreciate that.

14          A:     Would you like me to go --

15          Q:     Well, we can go through a lot of the incidents  
16 in a little bit, but I'm trying to find out -- none of  
17 them told you that they were denying you or recommending  
18 denying you tenure on the basis of your gender?

19          A:     There was not a direct statement.

20          Q:     Okay. This is your interpretation?

21          A:     This is my interpretation.

22          Q:     Okay. Now, the department granted you an  
23 extra year for tenure. Was that discriminatory?

24          A:     This extension was granted because when I  
25 joined the department, your first exhibit is -- is it the

1 first exhibit or it was an attached -- there is the  
2 second letter that is specifying the amount of funding  
3 that is going to be provided. And it is not in this  
4 letter, but I have the second letter that is identifying  
5 the amount of startup funds that the department is going  
6 to provide to me. And the department didn't provide the  
7 funding that was given to me as startup funding. A  
8 portion of this fund was withheld for two or three years.

9 Q: Okay.

10 A: So this was one of the grounds that I  
11 requested the extension. And the second was the fact  
12 that I had young children.

13 Q: Okay. But when they granted it to you, that's  
14 not discriminatory, correct?

15 A: No, this is not discriminatory.

16 Q: Now, the members of your tenure committee, how  
17 many members were there?

18 A: There were three.

19 Q: And do you remember which professors they  
20 were?

21 A: Yes. The chair of the personnel committee is  
22 Dr. Abdel-Rahman, and the other two are Dr. Dar and Dr.  
23 McMillen.

24 Q: So that's Brian McMillen and Saeed Dar?

25 A: Yes, Dr. Saeed Dar.



1 to a male colleague that was in the similar situation  
2 like mine. So therefore, I contend that he was  
3 discriminating based on my gender. Because another  
4 colleague that was started in the department in 2002 and  
5 was a male colleague, Ken Soderstrom, he was receiving  
6 faster and broader resources, state-funded resources,  
7 than the resources that the chairman provided to my  
8 laboratory, although I requested the resources.

9 Q: Dr. Taylor testified that he didn't make the  
10 decision based upon your gender.

11 A: There are vast social studies indicating that  
12 when people are asked directly, they denied having any  
13 prejudice and biases, but they act upon their biases and  
14 their prejudice.

15 Q: But he testified that he did not make the  
16 determination based upon your gender, correct?

17 A: He testified, yes.

18 Q: Okay. But you don't believe it?

19 A: That's correct.

20 Q: So David Taylor is the department chair, --

21 A: Yes.

22 Q: -- and he makes a recommendation to Phyllis  
23 Horns?

24 A: That's right.

25 Q: Who's the interim dean of Brody School of

1 Medicine?

2 A: That's correct.

3 Q: And Dean Phyllis Horns is a female, correct?

4 A: Yes.

5 Q: Okay. Dean Horns, as the dean, makes the  
6 decision about whether or not you should be granted  
7 tenure and promotion, correct?

8 A: Yes.

9 Q: Okay. And her decision is final, except that  
10 you can appeal it to the faculty grievance?

11 A: That's correct.

12 Q: Okay. And she reviews the tenure  
13 consideration, the PAD that you submit, and the  
14 recommendations that are made by the department chair and  
15 by the department promotion and tenure committee, and  
16 there's also an advisory committee to the dean; is that  
17 correct?

18 A: Yes.

19 Q: Okay. So the other groups, the departmental  
20 level groups and this advisory committee are making  
21 recommendations to her, but she's the decision -- she  
22 makes the final decision as dean, correct?

23 A: Yes.

24 Q: Okay. When did she make her decision?

25 A: I believe in March of 2007.

1           Q:     That sounds right to me.

2           A:     But I don't have the letter in front of me.  
3     This letter is also included with my documents.

4           Q:     And what did she decide?

5           A:     She concurred with the decision of the  
6     committee and the chair.

7           Q:     Okay. Now, her decision didn't make any  
8     reference about your gender, correct?

9           A:     No.

10          Q:     Okay. And as a woman, you're not contending  
11     that she was discriminating against you as a woman,  
12     correct?

13          A:     I contend that she didn't review properly my  
14     credentials as all people that were involved in the  
15     review of my credentials starting from the tenure  
16     committee.

17          Q:     When you say she didn't review your  
18     credentials, she had your PAD, correct?

19          A:     Yes.

20          Q:     And she reviewed it?

21          A:     Yes. And this PAD had sets of external peer  
22     evaluators that were given the same guidelines for tenure  
23     and promotion that are the guidelines for tenure and  
24     promotion in the department, and they were asked to  
25     review my research productivity and -- let me see --

1           Q:       I understand.

2           A:       And during the hearings, the members of the  
3       tenure and promotion committee, Dr. Dar, Dr.  
4       Abdel-Rahman, and Dr. McMillen, they all testified that  
5       they are not experts in my area of research.

6           Q:       But Dean Horns -- you're not contending that  
7       Dean Horns as a woman is discriminating against you based  
8       on being a woman, are you?

9           A:       I don't know why she reviewed my PAD in the  
10       way that she did it.

11          Q:       You testified previously that you do not think  
12       she was discriminating against you?

13          A:       I don't know her decision was based on what,  
14       and therefore, I requested the reviews of the -- Dean  
15       Horns is supposed to rely her review on the reviews  
16       provided by the Brody committee for tenure and promotion.

17          Q:       Right. But it doesn't really make sense that  
18       Dean Horns, a woman, is discriminating against you on the  
19       basis of you being a woman?

20          A:       I don't know what makes sense and what doesn't  
21       make sense.

22          Q:       Do you --

23          A:       I don't know the answer to this question.

24          Q:       Do you believe that Dean Horns was  
25       discriminating against you on the basis of your gender?

1           **A:**       Whether they discriminated based on my gender,  
2           whether they wanted to please their colleagues in the  
3           Department of Pharmacology, I -- I don't know.

4           **Q:**       Okay. So you don't know, so therefore, you're  
5           not making an allegation, then, that they discriminated  
6           against you on the basis of gender?

7           **A:**       Exactly. I do not allege that they  
8           discriminated, but I don't know what was driving their  
9           decision before I see some written documents out of their  
10          work.

11          **Q:**       But you got written documents from the tenure  
12          and promotion committee at the departmental level, and  
13          the chairman's recommendation, --

14          **A:**       Yes.

15          **Q:**       -- and those didn't include anything about  
16          your gender, so why would these documents have something  
17          different?

18          **A:**       Because, again, I -- this review should have  
19          been independent of the review provided by the -- the  
20          review provided in the department. And the review that  
21          was made in the department, there were two hearings that  
22          dealt with how this review was conducted. There is no  
23          information from the review and work of the schoolwide  
24          Brody School of Medicine committee.

25          **Q:**       Okay. But at this point in time, you're not

1           Q:     And they request annual satisfactory  
2     evaluations?

3           A:     They request the performance evaluations.

4           Q:     Okay. And when did you start your job at VCU?

5           A:     My job at VCU started, as I said, the  
6     beginning of September of 2008.

7           Q:     And when did you get that job?

8           A:     I beg your pardon?

9           Q:     When did you get that job?

10          A:     I don't have the document with the job offer.  
11     It was -- it was before my starting date, obviously. I  
12     don't remember the exact date.

13          Q:     Give us an estimate, please.

14          A:     After -- my interview date was after the my  
15     last day at East Carolina University.

16          Q:     Okay. So it was after June 30th, --

17          A:     That's right.

18          Q:     -- 2008? Okay. So between July and August  
19     you interviewed and got the job?

20          A:     Yes.

21          Q:     Okay. And this annual evaluation didn't have  
22     any impact on that?

23          A:     I am not aware whether Dr. Logothetis  
24     requested information from my previous employers.

25          Q:     Okay. So who wrote this 2007/2008 annual

1 activities as faculty members.

2 Q: Okay. So your annual evaluation, which is  
3 Exhibit 9 that you received --

4 A: Yes.

5 Q: -- from Dr. Taylor, does it say anywhere that  
6 you received a "Fair" because of your gender?

7 A: Again, I would like to refer you to the  
8 definition in the policy of East Carolina University.

9 Q: I understand the definition, but my question  
10 is, does this 2007/2008 annual evaluation refer to your  
11 gender at all?

12 A: It doesn't refer to my gender.

13 Q: And does it refer to the EEOC?

14 A: It doesn't.

15 Q: Okay. So what evidence do you have that your  
16 filing with the EEOC led to Dr. Taylor giving you this  
17 2007/2008 annual evaluation?

18 A: My evidence is based on the numbers that you  
19 see in this evaluation. For Teaching he's given me  
20 "Fair," numerical equivalent 2.5; for Research/Creative  
21 Activity he's given me qualitative evaluation "Good" and  
22 numerical equivalent 2.5; and for Service he's giving me  
23 "Fair" qualitative evaluation and numerical equivalent  
24 2.5. And these are the words, and this is just the  
25 translation. And "Fair" is 2, and "Excellent" is 5,

1           **A:**       And for a person at my level, the guidelines  
2       are stating that it's not expected even to be involved in  
3       peer evaluation of other people's publications and  
4       grants, and I have been approached from several journals  
5       and granting agencies that give grants to provide peer  
6       evaluations of other people's work.

7           **Q:**       Okay, I understand. But what -- but you don't  
8       have any evidence from Dr. Taylor that he's giving you  
9       this evaluation in response to the EEOC complaint?

10          **A:**       This is, again, the unfair -- unequal  
11       evaluation of my performance.

12          **Q:**       Well, I understand that you contend that it's  
13       unfair, but you don't have any evidence that Dr. Taylor  
14       is doing this because of the EEOC complaint?

15          **A:**       These are even lower. There were constant  
16       deviations from my performance and my evaluations  
17       throughout the years. I never get overall "Fair"  
18       evaluation before.

19          **Q:**       Okay.

20          **A:**       And this is the year when we published the  
21       second JBC paper, the one that has implications for the  
22       treatment of congestive heart failure.

23          **Q:**       Okay.

24          **A:**       That is a major problem for East North  
25       Carolina.



1 Q: Okay. And what did he say?

2 A: He probably -- he switched.

3 Q: Switched topics?

4 A: Probably, yes.

5 Q: Okay. Are you aware that it's not illegal to  
6 ask about pregnancy during an interview?

7 A: I beg your pardon?

8 Q: Are you aware that it's not illegal to ask  
9 about pregnancy or having children in an interview?

10 A: This was his phrasing of the question, "I know  
11 that it is illegal to ask you about that, but I'm going  
12 to ask you anyway. Do you have plans to have more  
13 children?"

14 Q: Okay. But are you --

15 A: I am not aware of whether it's legal or not.

16 Q: Okay.

17 A: This was his phrasing of the question to me.

18 Q: And do you have any evidence that Dr. Barnes  
19 discriminated against you on the basis of that comment?

20 A: Again, I would like to refer to the  
21 definitions of the East Carolina University, equal  
22 treatment. I have all the reasons to believe that I was  
23 not equally treated. And who contributed to this? There  
24 were decisions that were made, not at faculty meetings,  
25 with the distribution of the lab space, with the

1           Q:       Okay.

2           A:       I just don't remember on the top of my head  
3 without the letter.

4           Q:       And was the plug all the way out of the  
5 socket?

6           A:       No.

7           Q:       It was partly unplugged?

8           A:       It was partially unplugged.

9           Q:       And who found it unplugged?

10          A:       My husband found it.

11          Q:       Who unplugged the freezer?

12          A:       I wish to know.

13          Q:       Are you saying you don't know who unplugged  
14 the freezer?

15          A:       I don't know who unplugged the freezer.

16          Q:       Okay. You didn't lose your signaling  
17 proteins?

18          A:       The temperature, because we called the  
19 security, the temperature was minus one degree. This is  
20 just the point of freezing and thawing.

21          Q:       I understand. But you didn't lose them?

22          A:       I found that I didn't lose them after  
23 extensive testing. I wrote that I had to spend -- we had  
24 to spend close to six months testing and retesting the  
25 activity of these proteins.

1           Q:       Okay. And did Dr. Taylor also use that  
2 freezer?

3           A:       We provided space in this freezer to him as a  
4 gesture of goodwill because he didn't have a freezer when  
5 he came to the department.

6           Q:       Okay.

7           A:       And this was a gesture of goodwill to him. We  
8 offer him space in the freezer that we had.

9           Q:       Okay. So did he have materials in the freezer  
10 at the same time you did when it was unplugged?

11          A:       He testified during the hearing that he had  
12 some brain tissue.

13          Q:       Okay. So why was the freezer unplugged?

14          A:       During the hearing and during other  
15 conversations, it became apparent that Dr. McMillen was  
16 working in the University of Texas, and when Dr. Gilman  
17 became the new chairman of the department where he was  
18 previously employed, Dr. McMillen had to find another  
19 position, and then he came to East Carolina University.  
20 And I don't know how this is connected, but there was a  
21 remark during the hearing off the record that I -- I  
22 heard about the G-proteins, and I don't know who  
23 unplugged it though.

24          Q:       Okay. So we don't know who unplugged the  
25 freezer, correct?

1           **A:**       That's correct, yes.

2           **Q:**       So we don't know then why it was unplugged?

3           **A:**       The why is easy. I believe that it was an  
4 attempt to slow the progress of my research. Because  
5 before that incident, I had to two presentations, one in  
6 the Department of Pharmacology, I believe, and another in  
7 a different department where we were presenting the first  
8 data coming out of the lab, and we were making  
9 significant progress in our research program. So I  
10 believe that the things are connected, and this was done  
11 in an attempt to slow our progress.

12          **Q:**       By whom?

13          **A:**       You are asking me -- I can tell you what  
14 motivates my actions. I cannot tell you what motivates  
15 other people actions. Science is a very competitive  
16 field. There are people that are trying to slow your  
17 progress in any way possible. Most of the time these are  
18 your direct competitors. I don't think that somebody was  
19 trying to directly compete with me. It was -- I  
20 interpreted this as an attempt to set us back, because  
21 these proteins are practically irreplaceable in what we  
22 do.

23          **Q:**       But if you don't know who unplugged it,  
24 there's no way for you to know why it was unplugged?

25          **A:**       Well, freezers do not unplug themselves on

1     their own.

2           **Q:**     Okay. But a freezer had been previously  
3 unplugged somewhere else in the department, correct?

4           **A:**     Yes.

5           **Q:**     And that wasn't your freezer?

6           **A:**     This was -- I have no knowledge about the  
7 incident. You are referring to an incident that Dr.  
8 McMillen was referring to during the hearing. I'm not  
9 aware of this incident, and I don't know what happened.

10          **Q:**     Okay.

11          **A:**     There was a different case when a repairman  
12 came to service one of the freezers of Dr. Jamal Mustafa  
13 and decided that he is going to take the freezers out of  
14 the emergency supply and plug them to the regular supply.  
15 And his line of thinking was that the emergency supply  
16 experienced some fluctuations that are dangerous for the  
17 compressors of the freezers. What he didn't notice is  
18 that the regular power supply is not actually powered.  
19 So all the freezers that he went on and switched from  
20 emergency supply to regular supply were left out of  
21 power. But at that time, this was caught very early so  
22 the temperature was minus 50, or something like that.

23          **Q:**     Okay.

24          **A:**     And this was brought to the attention that  
25 this shouldn't be touched. That is the reason that these

1 was discussing with the students.

2 Q: Okay. And what was the comment or comments  
3 that were made?

4 A: They were trying to -- I don't know what they  
5 were trying to do.

6 Q: What did they say?

7 A: I didn't hear exactly what they said. They  
8 were sitting at the back of the room, and this is lecture  
9 classroom, and they were sitting next to the window at  
10 the back of the room and they were talking -- I even  
11 don't know how to say this in English, hecklers, or  
12 people that during performance they try to intrude.

13 Q: What did they say?

14 A: I don't -- I didn't hear their comment.

15 Q: Okay. So how do you know that they were  
16 heckling if you didn't hear them?

17 A: They were talking loud enough to be heard in  
18 the classroom.

19 Q: But not by you?

20 A: I was engaged in answering the questions of  
21 the students.

22 Q: So you don't know what they said?

23 A: I didn't hear exactly what they said. It was  
24 a comment regarding what I was teaching to students.

25 Q: And when you say it was a comment regarding

1        what you were teaching to students, what was the comment?

2            **A:**        It was something in the sense that I don't  
3        need to give them these details or something, but this is  
4        what I can gather. I didn't focus on this.

5            **Q:**        Gathered from where?

6            **A:**        From what I overheard while talking to the  
7        students. I was addressing questions of the students at  
8        that time.

9            **Q:**        So you did overhear, or you did not overhear  
10       it?

11           **A:**        I heard the common sense of what they were  
12       saying, that I shouldn't give the students that much  
13       information or something in that sense. But I cannot be  
14       absolutely positive because my attention was focused on  
15       the students' questions.

16           **Q:**        Okay.

17           **A:**        And I don't know why they were present during  
18       my lecture.

19           **Q:**        Were they evaluating you?

20           **A:**        It was not peer evaluation. My peer  
21       evaluation was during the previous year, and they came  
22       unannounced to my lecture. I certainly didn't have a  
23       meeting with them after that, and I was not given any  
24       indication why they were present during that lecture.

25           **Q:**        Okay. So when did you -- so essentially, they

1           Q:       Sure. This is Dr. Dar?

2           A:       Dr. Dar, yes.

3           Q:       Okay. What do you --

4           A:       So he told me twice that the place of a  
5 married woman is in her home in his faith.

6           Q:       Okay.

7           A:       And he's the one that is the religious leader  
8 of the mosque in Greenville.

9           Q:       And what was his first comment?

10          A:       The first comment was related to his wife. I  
11 testified about this during the hearing. It was the  
12 first social gathering that we had after I joined the  
13 department, and this was the first gathering that some of  
14 the spouses were at. And it was a type of cocktail  
15 party. And as we were walking, I asked Dr. Dar whether  
16 his wife is there so he can introduce me to her. And he  
17 said that in his faith the place of a woman is in her  
18 home, of a married woman is in her home. And he, after  
19 that, denied this, but he reiterated this statement later  
20 during another conversation regarding his daughter-in-law  
21 and --

22          Q:       So if we can just stay on the first comment.

23          A:       Sure.

24          Q:       So that first comment was at a social  
25 gathering?



1 hearing.

2 Q: Okay. Pakistan, of course, has had a female  
3 prime minister?

4 A: I know that.

5 Q: Okay.

6 A: That was killed.

7 Q: Yes. So Dr. Dar was making a statement about  
8 his faith and culture?

9 A: He was -- I didn't really think about this  
10 until I was faced with the decision that they presented  
11 to me.

12 Q: The decision in 2006 --

13 A: Yes.

14 Q: -- or 7?

15 A: Yes.

16 Q: Okay. So --

17 A: The denial of the tenure and the promotion.

18 Q: Okay. So that's the next time that it came to  
19 mind?

20 A: Yes.

21 Q: Okay. And were you -- I mean, you find it  
22 offensive for him to talk about his own culture or his  
23 own religion?

24 A: No. I don't find it offensive, but I believe  
25 that this is an indication of bias against women in

1       general and me in particular.

2           **Q:**       So you think the comment was about you, or the  
3       comment was about his wife?

4           **A:**       The comment was the first occasion regarding  
5       his wife, and the second time regarding his  
6       daughter-in-law.

7           **Q:**       Okay.

8           **A:**       And in the second time, I really didn't --

9           **Q:**       Let me just stay on the first time.

10          **A:**       Okay.

11          **Q:**       So the first time -- this comment that we've  
12       been discussing for the last minute or two, --

13          **A:**       Yes.

14          **Q:**       -- he was saying that about his wife?

15          **A:**       Yes.

16          **Q:**       Okay. Not about you?

17          **A:**       No.

18          **Q:**       Okay. So not about you, your place being in  
19       the home?

20          **A:**       No.

21          **Q:**       Okay. The second statement that he made  
22       was -- when was that, and what was that statement?

23          **A:**       This was I don't remember the year. It was  
24       the year when his son and daughter-in-law and they had an  
25       infant child were living in their house in Greenville,

1 and he was upset about the young couple, that according  
2 to him and his wife, they were not properly feeding the  
3 infant and the infant was left hungry. And while he was  
4 telling me this happening, I -- he made the comment that  
5 these young people, because they have college degrees  
6 they think that they know everything. And this is when I  
7 asked him about the profession of his daughter-in-law and  
8 her education. I knew that his son was in the medical  
9 school, in the Brody School of Medicine. And this is  
10 when he said that in his faith the place of a married  
11 woman is at home with her children regardless of her  
12 education.

13 Q: Okay.

14 A: So --

15 Q: But she did have a college degree, right?

16 A: According -- yes, this is how it started.

17 Q: Okay.

18 A: It was his indication that because they have  
19 college degrees, they think that they know everything.

20 Q: Okay. And she taught at a Montessori school?

21 A: This is coming from his testimony. He  
22 testified that she's a certified Montessori teacher --

23 Q: Okay.

24 A: -- during the hearing.

25 Q: Okay. And he made that statement about his

1 daughter-in-law?

2 A: In-law, yes.

3 Q: And you -- how did that affect you?

4 A: The way how it affects me is his testimony  
5 that was during the hearing, he started talking about a  
6 conversation with me in which he advised me to be more  
7 welcoming and less intimidating to the students, and he  
8 was telling the committee that he felt that the students  
9 are intimidated by me. And there was a line of  
10 questioning whether this is about the research that we do  
11 in the lab or about me personally, and his answers were  
12 that he felt that I am intimidating, that no student told  
13 him that, but this is his personal feeling, and he  
14 perceived the research in the lab as intimidating. And  
15 all of this is indication that he had problems with  
16 accepting me as a colleague, and because he on three  
17 occasions indicated to the committee that no student told  
18 him that; --

19 Q: Okay.

20 A: -- this was his perception of me.

21 Q: Okay.

22 A: This is his thinking.

23 Q: Okay. But his statement about his  
24 daughter-in-law, that's not about you?

25 A: The statement was about his daughter, yes.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

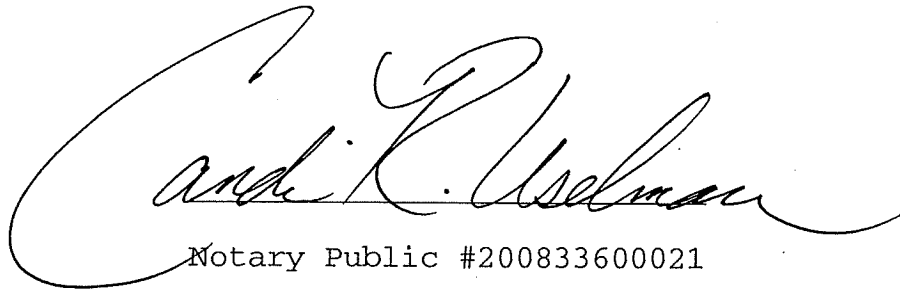
C E R T I F I C A T E

I, Candi R. Uselman, notary public/court reporter, do hereby certify that the above-named was duly sworn or affirmed prior to the taking of the foregoing deposition; and that said deposition was taken and transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of the testimony of the witness.

I do further certify that the persons were present as stated in the caption.

I do further certify that I am not of counsel for or in the employment of either of the parties to this action, nor am I interested in the results of this action.

This is the 23<sup>rd</sup> day of August, 2010.

  
Notary Public #200833600021